

1 decedent's estate and to bring wrongful death claims on their own behalf under California law.

2 The Court further finds that the Olivares Plaintiffs have not adequately pled a Fourteenth
3 Amendment claim for the loss of their adult child's companionship, because they have pled only
4 their biological connection to decedent and that they are "devastated" by his death.

5 IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss is GRANTED and
6 the Olivares Plaintiffs' Third Amended Complaint is hereby DISMISSED.

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Dated: _____

Hon. Jennifer L. Thurston
United States District Judge

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 At the time of service, I was over 18 years of age and not a party to this
4 action. I am employed in the County of Los Angeles, State of California. My
business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

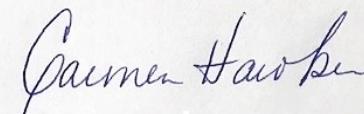
5 On August 6, 2025, I served true copies of the following document(s)
6 described as **[PROPOSED] ORDER GRANTING MOTION TO DISMISS FOR**
FAILURE TO STATE A CLAIM on the interested parties in this action as
follows:

7 **SEE ATTACHED SERVICE LIST**

8 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of
9 the document(s) to be sent from e-mail address carmen.hawkins@manningkass.com
10 to the persons at the e-mail addresses listed in the Service List. I did not receive,
within a reasonable time after the transmission, any electronic message or other
indication that the transmission was unsuccessful.

11 I declare under penalty of perjury under the laws of the State of California
12 that the foregoing is true and correct.

13 Executed on August 6, 2025, at Los Angeles, California.

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17 Carmen Hawkins
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SERVICE LIST
Martha Zepeda Olivares v. City of Fresno, et al.
Case No. 1:23-cv-01575-JLT-SAB
Our File Number: 2254-58536

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